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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/365,066	07/30/1999	JOSEPH FRUTUOSO	5053-23300	1321

7590 01/24/2006	EXAMINER
ERIC A STEPHENSON	NGUYEN, NGA B
CONLEY ROSE & TAYON PC	
P O BOX 398	ART UNIT / PAPER NUMBER
AUSTIN, TX 787670398	3628

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/365,066	FRUTUOSO ET AL.
	Examiner	Art Unit
	Nga B. Nguyen	3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11 August 2005*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4,6-8,10,12-15,17-22,24,29-34,36,38-46,52-62 and 71* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4,6-8,10,12-15,17-22,24,29-34,36,38-46,52-62 and 71* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August

11, 2005 has been entered.   .

2.   Claims **1-4, 6-8, 10, 12-15, 17-22, 24, 29-34, 36, 38-46, 52-62, and 71** are

pending in this application.

Response to Arguments/Amendment

3.   Applicant's arguments with respect to claims 1-4, 6-8, 10, 12-15, 17-22, 24, 29-

34, 36, 38-46, 52-62, and 71 have been considered but are moot in view of new ground

of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-4, 6-8, 10, 12-15, 17-22, 24, 32-34, 36, 38-46, 52-62, and 71 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi et al (hereinafter

Borghesi), U.S. Patent No. 5,950,169, in view of Hoover et al (hereinafter Hoover), U.S.

Patent No. 5,724,575, and further in view of Richards, U.S. Patent No. 6,408,303.

Regarding claim 1, Borghesi discloses a method for processing transactions,

wherein the transactions comprise one or more information fields, comprising:

obtaining an administrative system wherein the administrative system is

configured to receive incoming transaction from one or more sending trading partner

(column 16, lines 4-10; the home office sends a claim assignment to the body shop via

the mailbox), add additional information to the incoming transactions and send the

modified transactions to one or more receiving trading partners (column 12, lines 14-58;

when a user is creating a workfile for a specific claim, the user enters vehicle

identification into the workfile, the system automatically selects a database 222 from

which to access parts lists and values for the particular vehicle, specially, when the user

chooses to have the vehicle identification number (VIN) decoded in the database, the

system automatically reads from the database the manufacturer make and model

associated with the vehicle, the additional information is identified by identified by at

least one business rule which is VIN is a key word to search for additional information of

the vehicle);

receiving at least one incoming transaction from at lest one sending trading

partner (column 16, lines 4-10; the home office sends a claim assignment to the body

shop via the mailbox);

automatically applying one or more-business rules to the at least one incoming

transaction to identify one or more source fields of the administration system 'that

contain information to be added to one or more information fields of the at least one

incoming transaction; automatically modifying the additional information read from the

source fields using one or more of source-side functions (column 12, lines 14-58; when

a user is creating a workfile for a specific claim, the user enters vehicle identification into the workfile, the system automatically selects a database 222 from which to access parts lists and values for the particular vehicle, specially, when the user chooses to have the vehicle identification number (VIN) decoded in the database, the system automatically reads from the database the manufacturer make and model associated with the vehicle, the additional information is identified by identified by at least one business rule which is VIN is a key word to search for additional information of the vehicle);

automatically reading the identified additional information from one or more source fields of the administration system in response to receiving at least one incoming transaction from the at least one sending trading partner (column 12, lines 14-58, when the user chooses to have the vehicle identification number (VIN) decoded in the database, the system automatically reads from the database the manufacturer make and model associated with the vehicle, the additional information is identified by identified by at least one business rule which is VIN is a key word to search for additional information of the vehicle);

automatically generating at least one outgoing transaction, where the at least one outgoing transaction comprises data from the incoming transaction and the additional information read from one or more source fields of the administration system (column 12, line 59-column 13, line 60; generating a valuation request in response to reading the vehicle data from the database, the valuation request comprises data from claim assignment and additional data read from the database);

automatically sending at least one outgoing transaction to at least one receiving trading partner (column 16, lines 46-49; sending the estimate to the appraiser/adjuster).

Hoover discloses the following steps, which are not disclosed in Borghesi:

generating a map for the administrative system, wherein generating the map comprises: selecting one or more source fields from the administrative system, wherein each source field corresponds to a source for the additional information; associating a destination field with the one or more selected source fields, wherein each destination field corresponds to an information field of an incoming transaction to which additional information can be added: and associating one or more source-side functions with the one or more selected source fields, wherein the source-side functions modify the additional information added to the destination field from the one or more selected source fields; automatically selecting one or more destination fields using pathways established in the generated map; automatically adding the modified additional information to the one or more selected destination fields (see columns 24-55). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the feature above with Borghesi's for the purpose of time-consuming in generating incoming transactions because incoming transactions are automatically generated by applying mapping function.

Moreover, Borghesi does not teach automatically translating at least one incoming transaction into a computer data format decipherable by a receiving trading partner transaction processing software. However, Richards teaches translating at least one incoming transaction into a computer data format decipherable by a receiving trading partner transaction processing software (see abstract and column 1, lines 45-55). Most of trading partners' internal data processing systems do not use data and file standards that conform to the EDI standards or other standard communication formats. Thus, in order to receive and processing data that conform to various EDI standards, the incoming data need to be translated to a data format that is compatible with the trading partner's internal data processing system. Therefore, it would have been

obvious to one with ordinary skill in the art at the time the invention was made to combine the feature above with Borghesi's for the purpose of time-consuming because the incoming data need not to be re-entered to another data format compatible with the trading partner's internal data processing system.

Regarding claim 2, Borghesi further discloses the at least one business rule comprises one or more keywords (column 12, lines 17-25; VIN is a key word to search for additional information of the vehicle).

Regarding claims 3-4, Borghesi does not disclose the at least one business rule comprises one or more logical operators and a string of at least one keyword and at least one operator, and wherein the business rule is entered into the computer system by a user via a user interface. However, Hoover teaches the features above (see figures 7-19 and columns 24-40). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Borghesi's modified by Richard's for the purpose of time consuming because it eliminates the need for the user to re-enter the data into the computer system.

Regarding claims 6-7, Borghesi further discloses at least one business rule comprises search criteria wherein search criteria comprise one or more keywords (column 12, lines 17-25; VIN is a key word to search for additional information of the vehicle).

Regarding claim 8, Borghesi further discloses queuing the outgoing transaction in response to the computer system generating the outgoing transaction (column 13, line 60-column 14, line 8).

Regarding claim 10, Borghesi does not disclose the computer system sending the outgoing transaction to the at least one receiving trading partner through an industry clearinghouse system. However, it is old and well known in the art to send an outgoing

transaction to the at least one receiving trading partner through an industry

clearinghouse system Therefore, it would have been obvious to one with ordinary skill in

the art at the time the invention was made to combine the feature above with Borghesi's

for the purpose of providing the clearinghouse system as an intermediate between

trading partners, servers as an electronic routing system for the claims and checks to

determine if the information is complete.

Regarding claim 12, Borghesi further discloses the incoming transaction is an

insurance-related transaction (column 4, lines 20-22).

Regarding claim 13, Borghesi discloses a system comprising: a CPU; a

database coupled to the CPU; an administration system coupled to the CPU; a memory

coupled to the CPU, wherein the memory stores one or more computer programs

executable by the CPU (column 6, lines 5-32); wherein the computer programs are

executable to perform method as described in claim 1 above.

Claims 14, 15, 17 contain similar limitations found in claims 3, 4, 12 above,

therefore, are rejected by the same rationale.

Claims 18-22, 24, 32-34, 36, 38 are written in carrier medium and contain the

same limitations found in claims 1-4, 6, 2, 8, 10, 12, as discussed above, therefore, are

rejected by the same rationale.

Regarding claims 39-44, Borghesi further the outgoing transaction is an

insurance-related transaction, an insurance pricing transaction (column 4, lines 65-67

and column 5, lines 5-15). However, Borghesi does not disclose the outgoing

transaction is an annuity asset pricing transaction, a positions and valuation focused

refresh transaction, a commission settlement transaction. However, such transactions

are well known in the art. Therefore, it would have been obvious to one with ordinary

skill in the art at the time the invention was made to include the feature above with

Borghesi's for the purpose of proving time consuming for processing such transactions.

Regarding claim 45, Borghesi further discloses the sending trading partner is the

receiving trading partner (column 16, lines 4-22).

Regarding claim 46, Borghesi further discloses the carrier medium is a memory

medium (column 6, lines 5-14).

Regarding claims 52-56, Borghesi further discloses at least one business rule

comprises: a receiving trading partner identifier, a transaction identifier, a transaction

status, a sending trading partner identifier (column 9, lines 18-32). However, Borghesi

does not disclose at least one business rule comprises an administration system

identifier. However, an administration system identifier such as an identification number

is well known in the art. Therefore, it would have been obvious to one with ordinary skill

in the art at the time the invention was made to include the feature above with

Borghesi's for the purpose of assigning an administration system an identification

number in order to acknowledge the receiving partner the administration system

identifier

Regarding claim 57, Borghesi further discloses the business rule is entered into

a database (column 12, lines 14-22).

Claims 58-62 contain similar limitations found in claims 52-56, discussed above,

therefore, are rejected by the same rationale.

Regarding to claim 71, Borghesi does not disclose the computer data format is

National Securities Clearing Corporation (NSCC) standard format. However, NSCC

standard format is a well known format. Therefore, it would have been obvious to one

with ordinary skill in the art at the time the invention was made to include NSCC

standard format in Borghesi's for the purpose of time-consuming because the incoming

data automatically translate to NSCC standard format compatible with the trading

partner's internal data processing system, the user need not to re-enter the data into the

computer system.

6.   Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Borghesi et al, U.S. Patent No. 5,950,169, in view of Hoover et al (hereinafter Hoover),

U.S. Patent No. 5,724,575, in view of Richards, U.S. Patent No. 6,408,303, and further

in view of Wamsley et al (hereinafter Wamsley), U.S. Patent No. 5,956,687.

Regarding claims 29-31, Borghesi do not teach the computer system

implements storing a schedule in memory, wherein the schedule relates to the incoming

transaction, and wherein the schedule comprises: a predetermined time for receiving

the incoming transaction from the at least one sending trading partner, a predetermined

time for reading the additional information from the administration system, a

predetermined time for sending the outgoing transaction to the at least one receiving

trading partner. Wamsley teaches the computer system implements storing a schedule

in memory, wherein the schedule relates to the incoming transaction (see column 32,

line 49-column 33, line 20, a first schedule spanning a first number of days for receiving

information about the claim for each of the records, a second schedule spanning a

second number of days for formulating a proposed settlement amount for the injury).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the

invention was made to adopt the teaching of Wamsley in Borghesi's, thus implementing

a schedule comprises a predetermined time for receiving the incoming transaction from

the at least one sending trading partner, a predetermined time for reading the additional

information from the administration system, a predetermined time for sending the

outgoing transaction to the at least one receiving trading partner, therefore, providing

more convenient and efficiency for the user to receive, process an incoming transaction, to send outgoing transaction at a specified date and time.

Conclusion

7.   Claims **1-4, 6-8, 10, 12-15, 17-22, 24, 29-34, 36, 38-46, 52-62, and 71** are rejected.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9.   Any response to this action should be mailed to:

> Commissioner of Patents and Trademarks
>
> C/o Technology Center 3600
>
> Washington, DC 20231

Or faxed to:

> (571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany

Street, Alexandria, VA, First Floor (Receptionist).

Nga B. Nguyen

November 9, 2005